

1, 1895, by proclamation of the Governor,"

And find the same correctly engrossed.  
BAILEY, Chairman.

On motion of Senator Boren, the Senate adjourned to 10 a. m. to-morrow.

### THIRD DAY.

Senate Chamber,  
Austin, Texas, Oct. 3, 1895.

Senate met pursuant to adjournment.  
Lieutenant Governor Jester in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Agnew,	Lawhon,
Atlee,	Lewis,
Bailey,	McComb,
Beall,	McKinney,
Boren,	Presler,
Bowser,	Rogers,
Colquitt,	Shelburne,
Dean,	Sherrill,
Dibrell,	Simpson,
Dickson,	Smith,
Gage,	Stafford,
Goss,	Steele,
Greer,	Tips,
Harrison,	Whitaker,
Lasker,	Woods.

Absent, not excused.

Darwin.

Prayer by the Chaplain, Dr. Smoot.

Pending the reading of the Journal of yesterday,

On motion of Senator Sherrill, the same was dispensed with.

On motion of Senator McComb, Senator Presler was excused for non-attendance on Tuesday and Wednesday last, because of sickness in his family.

On motion of Senator Beall, Assistant Sergeant-at-Arms V. F. Pace was excused from attendance on to-day, on account of important business.

### BILLS AND RESOLUTIONS.

By Senator McComb:

Be it resolved by the Senate, the House of Representatives concurring, that the special session of Twenty-fourth Legislature of Texas shall be adjourned sine die at 12 o'clock m. on Monday, the 7th day of October, 1895.

On motion of Senator Sherrill, the above resolution was laid upon the table subject to call, by the following vote:

Yeas—16.

Agnew,	Bowser,
Atlee,	Gage,
Beall,	Goss,
Boren,	Harrison,

Lawhon,  
Lewis,  
McKinney,  
Presler,

Sherrill,  
Stafford,  
Steele,  
Woods.

Nays—11.

Bailey,  
Colquitt,  
Dibrell,  
Dickson,  
McComb,  
Rogers,

Shelburne,  
Simpson,  
Smith,  
Tips,  
Whitaker.

Absent, not excused.

Darwin,  
Dean,

Greer,  
Lasker.

By Senator Bailey:

Whereas, the 3d day of October marked the annual birthday of our illustrious fellow citizen the Hon. F. R. Lubbock; and

Whereas, he has given up the greater portion of his life to the service of the people of Texas, serving them in the capacity of Governor, State Treasurer and in other fiduciary relations; therefore be it

Resolved, that we heartily congratulate him upon attaining his 80th birthday, and that it is our earnest hope and desire that we may for many years to come have the benefit of his counsel and advice both in our political conventions and in our capacity as legislators.

On motion of Senator Colquitt, the above was unanimously adopted by a rising vote.

Senator Simpson called up from the table Senator McComb's concurrent resolution providing for an adjournment sine die on Monday next, at 12 o'clock m., and moved its adoption.

Pending action,

Senator Agnew offered to amend as follows:

Amend by striking out "12 o'clock m." and inserting "11 o'clock a. m."

Senator McComb accepted the amendment, and the same was adopted.

Pending action upon the resolution as amended,

On motion of Senator Steele the further consideration was postponed till 11:15 a. m. to-day.

By consent Senator Lewis offered the following:

Be it resolved by the Senate, the House concurring, whereas the indomitable courage and heroism of the patriots of Cuba in their prolonged and determined struggle for independence has entitled them to the admiration by the civilized world.

And whereas, the struggle of the Cuban patriots is similar to that of our forefathers, in that it is directed against monarchical tyranny and oppressive

taxation, and in favor of a government by the people.

And whereas, the people of Texas, remembering their own struggle for liberty, never look with indifference upon the struggles of an oppressed people for freedom and independence; therefore be it

Resolved, that we extend to the Cuban patriots our sympathy and congratulations in their heroic efforts to cast off the yoke of oppression and despotism.

Be it further resolved, that it is the sense of the Legislature of Texas that the United States Government ought to extend to the Cuban revolutionists belligerent rights.

Senator Simpson moved to adopt the resolution.

Senator Beall moved as a substitute that the resolution be referred to the Committee on Federal Relations.

Lost.

The resolution was then adopted by the following vote:

Yeas—24.

Agnew,	Lawhon,
Bailey,	Lewis,
Boren,	McComb,
Bowser,	McKinney,
Colquitt,	Presler,
Dibrell,	Rogers,
Dickson,	Shelburne,
Gage,	Sherrill,
Goss,	Simpson,
Greer,	Stafford,
Harrison,	Tips,
Lasker,	Woods.

Nays—3.

Beall,	Steele.
Smith,	

Absent, not excused.

Atlee,	Dean,
Darwin,	Whitaker.

Senator Stafford then offered the following:

Whereas, our esteemed fellow Senator, Hon. L. S. Lawhon, has wisely adopted the sound axiom of Holy Writ, 'It is not good for man to live alone,' and has taken into his confidence and affection one of the fair daughters of Eve; therefore be it

Resolved, that we heartily congratulate both our friend and his lovely bride upon their union, and sincerely hope that the blended streams of their lives will run smoothly, and that its waters may dissipate and expel each shadow, and brighten and reflect each ray of sunshine, thus soothing their sorrows and doubling their joys.

On motion of Senator Simpson, the above was unanimously adopted by a rising vote.

Call concluded.

The following messages were received:

#### HOUSE MESSAGES.

House of Representatives,  
Austin, Texas, October 2, 1895.

Hon. Geo. T. Jester, President of Senate:

I am directed by the House to inform the Senate that the House has passed the following bill to-wit:

Senate bill No. 3, "An act to prohibit prize-fighting and pugilism, and fights between men and animals, and to provide penalties therefor, and to repeal all laws in conflict therewith," with House amendments.

Passed by two-thirds vote; ayes 107, nays 5.

Amendments:

(a) Amend section 4 by inserting after the word "pugilism" the words "or against fights between man and beast."

(b) Amend section 1, line 8, by inserting after the word "value" the words "or for any championship."

(c) Amend section 2, line 5, after the word "fists" the words "or otherwise."

(d) Amend section 2, line 9, by inserting after the word "value" the words "or for any championship."

Respectfully,

CHESTER HAILE,  
Chief Clerk.

House of Representatives,  
Austin, Texas, Oct. 3, 1895.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate that the House has passed the following bill, to-wit:

Senate bill No. 1, being "An act making an appropriation for mileage and per diem pay of the members and per diem pay of officers and employes of the first called session of the Twenty-fourth Legislature of Texas, convened October 1, 1895, by proclamation of the Governor," with House amendment.

Passed by two-thirds vote; ayes —, nays —.

Amendment: "Insert \$20,000 instead of \$25,000 wherever it occurs in the bill."

Respectfully,

CHESTER HAILE,  
Chief Clerk.

#### EXECUTIVE MESSAGE.

To the Senate and House of Representatives:

In behalf of the people of Texas I congratulate you upon the prompt and decisive work of yesterday. Accomplished without distinction of party, it is a proclamation by the whole people that brutal and degrading practices thereby in-

hibited have no place among us, and that there will be no step backward in the progress of the State.

The meaning of section 37, article 3, of the Constitution as to the time within which bills may be passed prior to final adjournment is not entirely clear, but in view of that provision it is respectfully suggested that you should not adjourn prior to Monday next. If this suggestion is accepted and acted upon, attention is called to the following subjects of legislation:

1. At the last session an appropriation of \$21,000 for first, second and third classes of public printing and binding, and for printing papers for first and second classes of public printing was made, but in enrollment of the bill there was a clerical error which reduced the sum to \$2100, which should be corrected. It also appears that at the last session an appropriation of \$720 each year was made for an expert shoemaker and \$720 a year for an expert binder and teacher at the Deaf and Dumb Asylum. In the enrollment of the bill these two items were consolidated, making a single appropriation of \$720 each year for the two purposes.

2. One of the sources of the available school fund with which the public schools are supported is the interest derived from the investment of the permanent fund in municipal bonds. There is now on hand in the treasury uninvested money belonging to the permanent school fund amounting to about \$238,000. This accumulation arises from two causes: (1) The unprecedented foreign demand for Texas municipal securities, by which the State Board of Education, limited to the purchase of bonds which bear at least 5 per cent interest, is practically driven out of the market; and (2) the action of counties in funding their bonds now held by the State, and which bear 6 per cent interest, into 5 per cent bonds, which they sell to foreign investors oftentimes at a premium; the Attorney General holding that the State Board of Education is not authorized to exchange 6 per cent for 5 per cent bonds. It is recommended that existing law on the subject be so amended, with appropriate safeguards, as to authorize the State Board of Education to invest this money in county bonds in competition with foreign investors, for otherwise the money will remain idle in the Treasury. The rate of interest should either be reduced or the requirement that the amount paid for such bonds shall not exceed the par or face value thereof repealed.

3. Under date of September 30, the Commissioner of the Land Office writes

me as follows: "Under the 22d section of chapter 99, Acts of 1887, and amendments thereof, authority was conferred on the Commissioner of the General Land Office to sell lands isolated or detached to any person, except to a corporation. Under this provision of the law many thousand acres of land were sold, by both my predecessors in this office, to persons other than actual settlers. The Supreme Court, during your term as Attorney General, decided in the Liberty county cases, that all sales made to others than actual settlers of lands not detached or isolated entirely from other public lands in any manner belonging to the State, were illegal and void. This department was early advised by the Attorney General, upon request of the Commissioner of the Land Office for his opinion, that such sales, being illegal and void, it was his duty to cancel the sales and put the lands on the market for re-sale. This course was pursued for some weeks, when it became evident that these illegal sales were so numerous and their effects so far reaching, and was working so great and irreparable injury on many more purchasers than could possibly have been supposed, that I felt that I would do a better service to the State by suspending the work of cancellation until the Legislature should assemble, in the hope that you might concur in my view, and deem it to the interest of the State to validate the sales, where other interests have not heretofore intervened.

"At first it was supposed that these sales were only made by my immediate predecessor, and that the purchasers could be reimbursed for moneys expended in the illegal purchases, and the present Legislature in the regular session appropriated \$25,000, a part of which was intended to be so used.

"I now have the honor to suggest that these sales are found to have been made all the way through the past eight years, and that to refund all the money to the purchasers would probably require a sum of not less than one hundred to one hundred and fifty thousand dollars; certainly as much as the former amount.

"In view, therefore, of the distressed condition of the treasury, and the great injury it has already done and will do to many persons who have made large and valuable improvements, if the sales are to be cancelled, I would most respectfully and urgently suggest that an act validating these sales would be a wise act, and not only just to purchasers, but in the interest of wholesome economy."

I concur in this recommendation of

the Commissioner, and hope it will be promptly acted upon.

C. A. CULBERSON.

Executive Office,  
Austin, October 3, 1895.

Senator Atlee called up  
Senate bill No. 3, a bill to be entitled  
"An act to prohibit prize fighting and pugilism, and fights between men and animals,"

With House amendments thereto (for House amendments, see House message above), and moved that the Senate concur in said amendments.

Concurred by the following vote:

Yeas—28.

Agnew,	Lawhon,
Atlee,	Lewis,
Bailey,	McComb,
Beall,	McKinney,
Boren,	Presler,
Colquitt,	Rogers,
Dean,	Shelburne,
Dibrell,	Sherrill,
Dickson,	Simpson,
Gage,	Smith,
Goss,	Stafford,
Greer,	Steele,
Harrison,	Tips,
Lasker,	Woods.

Nays—none.

Absent, not excused.

Darwin,	Whitaker.
Bowser,	

By consent, Senator Beall introduced the following bill:

A bill to be entitled "An act to amend article 3893 of the Revised Civil Statutes of the State of Texas, relating to the investment of the permanent school fund."

Read first time and referred to the Committee on Education.

Senator Colquitt called up the resolution (McComb's) providing for adjournment Monday next, consideration of which had been postponed to 11:15, and the resolution as amended was adopted.

The following committee report was made:

Committee Room,  
Austin, Texas, Oct. 3, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Education, to whom was referred

Senate bill No. 5, a bill to be entitled "An act to amend article 3893 of the Revised Civil Statutes of the State of Texas, relating to the investment of the permanent school fund,"

Have had the same under consideration, and instruct me to report same

back to the Senate with the recommendation that it do pass.

PRESLER, Chairman.

(Senator Dibrell in the chair.)

Senator Tips called up

Senate bill No. 1, being a bill to be entitled "An act making an appropriation for mileage and per diem pay of members, and per diem pay of officers and employes of the first called session of the Twenty-fourth Legislature of Texas, convened October 1, 1895, by proclamation of the Governor,"

With House amendment (striking out "twenty-five" and inserting "twenty"), and moved that the Senate concur in said amendment.

Concurred.

On motion of Senator Colquitt, the Senate adjourned to 3 p. m. to-day.

#### AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Agnew,	Lawhon,
Atlee,	Lewis,
Beall,	McKinney,
Bowser,	Presler,
Colquitt,	Rogers,
Dean,	Shelburne,
Dibrell,	Sherrill,
Dickson,	Simpson,
Gage,	Smith,
Goss,	Steele,
Greer,	Tips,
Harrison,	Whitaker,
Lasker,	Woods.

Absent, not excused.

Bailey,	McComb,
Boren,	Stafford.
Darwin,	

The following bills were introduced:  
By Senator Tips:

A bill to be entitled "An act making further appropriations for the support of the State government for the years beginning March 1, 1895, to February 28, 1897."

Read first time and referred to Committee on Finance.

By Senator Rogers:

A bill to be entitled "An act to validate certain illegal sales of public school, University and asylum lands sold under section 22, chapter 99 of the laws of 1887, and the amendments thereto, sold as isolated and detached lands, which were not in fact isolated and detached."

Read first time and referred to Committee on Public Lands.

The following message was received:

EXECUTIVE MESSAGE.

To the Senate and House of Representatives:

At the urgent request of representatives of certain cities of the State, another matter is called to your attention. By section 16 of the act approved July 4, 1879, General Laws 1879, called session, page 15, it is provided:

"No delinquent tax-payer shall have the right to plead in any court or in any manner rely upon any statute of limitation by way of defense against the payment of any taxes due from him or her, either to the State or any county, city or town." This provision was not brought forward by the commissioners in the Revised Statutes of 1879. It is represented that in many cities of the State a large amount of taxes is now due, upon the collection of which payment of interest upon their bonds largely depends, and that unless such a law as that referred to be passed at this session of the Legislature, the municipal authorities will be compelled to cause a multiplicity of suits to be filed against delinquent tax-payers in order to prevent the bar of limitation of two years.

C. A. CULBERSON.

Executive Office, Austin, October 4, 1895.

The Chair laid before the Senate

Senate bill No. 5, a bill to be entitled "An act to amend article 3893 of the Revised Civil Statutes of the State of Texas, relating to the investment of the permanent school fund."

Senator Beall moved to suspend the constitutional rule requiring bills to be read on three several days, and that the bill be put upon its second reading.

Lost by the following vote (requiring four-fifths vote):

Yeas—17.

Agnew,	Rogers,
Atlee,	Sherrill,
Beall,	Simpson,
Bowser,	Smith,
Gage,	Steele,
Harrison,	Tips,
Lasker,	Whitaker,
Lawhon,	Woods.
McKinney,	

Nays—6.

Colquitt,	Goss,
Dean,	Lewis,
Dickson,	Shelburne.

Absent, not excused.

Bailey,	Darwin,
Boren,	Dibrell,

Greer, Presler,  
McComb, Stafford.

On motion of Senator Rogers, the Senate took a recess till 4 p. m.

AFTER RECESS.

The following committee reports were made:

Committee Room,  
Austin, Texas, Oct. 3, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Public Lands, to whom was referred

Senate bill No. 7, a bill to be entitled "An act to validate certain illegal sales of public school, University and asylum lands, sold under section 22, chapter 99, of the laws of 1887, etc.,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

Goss, Chairman.

Committee Room,  
Austin, Texas, Oct. 3, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Finance, to whom was referred

Senate bill No. 6, a bill to be entitled "An act making further appropriations for the support of the State government for the years beginning March 1, 1895, to February 28, 1897,"

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass.

Tips, Chairman.

The Chair gave notice of signing, and did sign after the captions had been read, Senate bill No. 1, being a bill to be entitled "An act making an appropriation for mileage and per diem pay of members, and per diem pay of officers and employes of the first called session of the Twenty-fourth Legislature of Texas, convened October 1, 1895, by proclamation of the Governor," and

Senate bill No. 3, "An act to prohibit prize fighting and pugilism, and fights between men and animals, and to provide penalties therefor, and to repeal all laws in conflict therewith."

By consent, Senator Bowser introduced the following bill:

A bill to be entitled "An act to prevent delinquent tax-payers from pleading the statute of limitation by way of defense against the payment of any taxes due from him or her either to the State or any county, city, or town."

Read first time, and referred to the Committee on Finance.

The following committee reports were made, to-wit:

Committee Room,  
Austin, Texas, Oct. 3, 1895.  
Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 1, being "An act making an appropriation for mileage and per diem pay of members, and per diem pay of officers and employes of the first called session of the Twenty-fourth Legislature of Texas, convened October 1, 1895, by proclamation of the Governor,"

And find the same correctly enrolled, and have this day, at 4:10 p. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,  
Austin, Texas, Oct. 3, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 3, "An act to prohibit prize fighting and pugilism, and fights between men and animals, and to provide penalties therefor, and to repeal all laws in conflict therewith,"

And find the same correctly enrolled, and have this day, at 4:10 p. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,  
Austin, Texas, Oct. 3, 1895.

Hon. Geo. T. Jester, President of Senate:

Your Finance Committee, to whom was referred Senate bill No. 8, a bill to be entitled "An act to prevent delinquent tax payers from pleading the statute of limitation by way of defense against the payment of any taxes due from him or her either to the State or any county, city or town,"

Have had the same under consideration, and I am instructed to report same back to the Senate with recommendation that it do pass.

TIPS, Chairman.

Senator Bowser called up

Senate bill No. 8, being a bill to be entitled "An Act to prevent delinquent tax-payers from pleading the statute of limitation by way of defense against the payment of any taxes due from him or her, either to the State or any county, city, or town,"

And moved to suspend the constitutional rule requiring bills to be read on three several days, and that the bill be put upon its second reading.

Suspended by the following four-fifths vote:

Yeas—21.

Agnew,	Lasker,
Beall,	Lewis,
Bowser,	Presler,
Colquitt,	Rogers,
Dean,	Sherrill,
Dibrell,	Simpson,
Dickson,	Stafford,
Gage,	Steele,
Goss,	Tips,
Greer,	Woods.
Harrison,	

Nays—4.

Atleo,	McKinney,
Lawhon,	Smith.

Absent, not excused.

Bailey,	McComb,
Boren,	Shelburne,
Darwin,	Whitaker.

(Senator Dean in the chair.)

Bill read second time.

By Senator Lawhon:

Amend by striking out the word "State" where it occurs in the first section.

Lost.

The bill was then ordered engrossed.

On motion of Senator Bowser, the constitutional rule requiring bills to be read upon three several days was suspended, and the bill put upon its third reading and final passage by the following four-fifths vote:

Yeas—26.

Agnew,	Lawhon,
Atleo,	Lewis,
Beall,	McKinney,
Bowser,	Presler,
Colquitt,	Rogers,
Dean,	Sherrill,
Dibrell,	Simpson,
Dickson,	Smith,
Gage,	Stafford,
Goss,	Steele,
Greer,	Tips,
Harrison,	Whitaker,
Lasker,	Woods.

Nays—none.

Absent, not excused.

Bailey,	McComb,
Boren,	Shelburne.
Darwin,	

Bill read third time, and passed by the following vote:

Yeas—27.

Agnew,	Dean,
Atleo,	Dibrell,
Beall,	Dickson,
Bowser,	Gage,
Colquitt,	Goss,

Greer,  
Harrison,  
Lasker,  
Lawhon,  
Lewis,  
McKinney,  
Presler,  
Rogers,  
Shelburne,

Sherrill,  
Simpson,  
Smith,  
Stafford,  
Steele,  
Tips,  
Whitaker,  
Woods.

Nays—none.

Absent, not excused.

Bailey,  
Boren,

Darwin,  
McComb.

Senator Beall moved to reconsider the vote by which the bill was passed and to lay that motion on the table.

Tabled.

Senator Smith moved to reconsider the vote by which the Senate refused to suspend the constitutional rule and put Senate bill No. 5 (see caption above) on its second reading.

Reconsidered.

The constitutional rule requiring bills to be read on three several days was then suspended and the bill put upon its second reading by the following vote:

Yeas—22.

Agnew,  
Atlee,  
Beall,  
Bowser,  
Dean,  
Gage,  
Goss,  
Harrison,  
Lawhon,  
Lewis,  
McKinney,

Presler,  
Rogers,  
Shelburne,  
Sherrill,  
Simpson,  
Smith,  
Stafford,  
Steele,  
Tips,  
Whitaker,  
Woods.

Nays—4.

Colquitt,  
Dibrell,

Dickson,  
Greer.

Absent, not excused.

Bailey,  
Boren,  
Darwin,

Lasker,  
McComb.

Bill read second time.

The following amendments were then offered:

By Senator Steele:

Amend section 1 by striking out all after the word "funds" in line 23 down to and including the words "per annum" in line 25.

Adopted.

By Senator Atlee:

Add in line 18, after phrase "duty of," the word "making," and in line 20 after word "State" the word "and."

Adopted.

By Senator Goss:

Strike out "or" in line 4, page 2, of printed bill, and insert "of."

Adopted.

Bill ordered engrossed.

On motion of Senator Beall, the constitutional rule requiring bills to be read upon three several days was suspended and the bill put upon its third reading and final passage, by the following vote:

Yeas—21.

Agnew,  
Atlee,  
Beall,  
Bowser,  
Gage,  
Goss,  
Harrison,  
Lasker,  
Lawhon,  
Lewis,  
Presler,

Rogers,  
Shelburne,  
Sherrill,  
Simpson,  
Smith,  
Stafford,  
Steele,  
Tips,  
Whitaker,  
Woods.

Nays—5.

Colquitt,  
Dibrell,  
Dickson,

Greer,  
McKinney.

Absent, not excused.

Bailey,  
Boren,  
Darwin,

Dean,  
McComb.

Bill read third time, and passed by the following vote:

Yeas—19.

Agnew,  
Atlee,  
Beall,  
Bowser,  
Gage,  
Goss,  
Harrison,  
Lasker,  
Lawhon,  
Lewis,

Presler,  
Rogers,  
Shelburne,  
Sherrill,  
Smith,  
Stafford,  
Steele,  
Whitaker,  
Woods.

Nays—7.

Colquitt,  
Dean,  
Dibrell,  
Dickson,

Greer,  
Simpson,  
Tips.

Absent, not excused.

Bailey,  
Boren,  
Darwin,

McComb,  
McKinney.

Senator Beall moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled by the following vote:

Yeas—20.

Agnew,  
Atlee,  
Beall,  
Bowser,  
Dean,  
Gage,  
Goss,  
Harrison,  
Lasker,  
Lawhon,

Lewis,  
Presler,  
Rogers,  
Shelburne,  
Sherrill,  
Smith,  
Stafford,  
Steele,  
Whitaker,  
Woods.

## Nays—6.

Colquitt, McKinney,  
Dibrell, Simpson,  
Dickson, Tips.

## Absent, not excused.

Bailey, Greer,  
Boren, McComb.  
Darwin,

We vote "no" on this bill because we do not believe in lodging discretionary power in the board of education to pay premiums on bonds.

COLQUITT,  
DIBRELL.

(Lieutenant Governor Jester in the chair.)

The following message was received from the House:

## House of Representatives.

Austin, Texas, October 3, 1895.

Hon. Geo. T. Jester, President of Senate:

I am directed by the House to inform the Senate that the House has passed the following, to-wit:

Senate concurrent resolution No. 1, providing for the sine die adjournment of the special session of the Twenty-fourth Legislature on Monday, October 7, 1895, at 11 o'clock a. m.

Also Senate concurrent resolution No. 2, hereto attached (expressing sympathy for the Cubans in their revolution for liberty).

Respectfully,  
CHESTER HAILE,  
Chief Clerk.

Senator Tips called up

Senate bill No. 6, a bill to be entitled "An act making further appropriations for the support of the State government for the years beginning March 1, 1895, to February 28, 1897."

And moved to suspend the constitutional rule requiring bills to be read on three several days, and that the bill be put upon its second reading.

Suspended by the following vote:

## Yeas—27.

Agnew, Lewis,  
Atlee, McKinney,  
Beall, Presler,  
Bowser, Rogers,  
Colquitt, Shelburne,  
Dean, Sherrill,  
Dibrell, Simpson,  
Dickson, Smith,  
Gage, Stafford,  
Goss, Steele,  
Greer, Tips,  
Harrison, Whitaker,  
Lasker, Woods,  
Lawhon,

Nays—none.

## Absent, not excused.

Bailey, Darwin,  
Boren, McComb.

Bill read second time.

By Senator Atlee:

Add section 2, as follows:

Sec. 2. That the sum of \$100 to pay expenses of building booths and guard rails to carry out the Australian ballot system be taken from the appropriation for year 1897 and transferred to the year 1896.

Change section 2 to section 3.

Adopted.

Bill ordered engrossed.

On motion of Senator Tips, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage, by the following vote:

## Yeas—25.

Agnew, McKinney,  
Atlee, Presler,  
Beall, Rogers,  
Bowser, Shelburne,  
Colquitt, Sherrill,  
Dean, Simpson,  
Dibrell, Smith,  
Dickson, Stafford,  
Gage, Steele,  
Goss, Tips,  
Greer, Whitaker,  
Lasker, Woods,  
Lewis,

## Nays—none.

## Absent, not excused.

Bailey, Harrison,  
Boren, Lawhon,  
Darwin, McComb.

Bill read third time, and passed by the following vote:

## Yeas—24.

Agnew, McKinney,  
Atlee, Presler,  
Beall, Rogers,  
Bowser, Shelburne,  
Colquitt, Sherrill,  
Dibrell, Simpson,  
Dickson, Smith,  
Gage, Stafford,  
Goss, Steele,  
Harrison, Tips,  
Lasker, Whitaker,  
Lewis, Woods.

## Nays—none.

## Absent, not excused.

Bailey, Greer,  
Boren, Lawhon,  
Darwin, McComb.  
Dean,

Senator Tips moved to reconsider the



vote by which the bill was passed, and to lay that motion on the table.

Tabled.

Senator Rogers called up

Senate bill No. 7, a bill to be entitled "An act to validate certain illegal sales of public school, University, and asylum lands, sold under section 22, chapter 99, of the laws of 1887, and the amendments thereto, sold as isolated and detached lands, which were not in fact isolated and detached."

And moved to suspend the constitutional rule requiring bills to be read on three several days, and that the bill be put upon its second reading.

Senator Steele moved to postpone further consideration of the bill till to-morrow.

Postponed by the following vote:

Yeas—16.

Agnew,	McKinney,
Atlee,	Presler,
Colquitt,	Sherrill,
Dean,	Smith,
Dibrell,	Stafford,
Dickson,	Steele,
Greer,	Tips,
Harrison,	Woods.

Nays—9.

Bowser,	Rogers,
Gage,	Shelburne,
Goss,	Simpson,
Lasker,	Whitaker.
Lewis,	

Absent, not excused.

Bailey,	Darwin,
Beall,	Lawhon,
Boren,	McComb.

Senator Colquitt sent up the following privileged committee report:

Committee Room,  
Austin, Texas, Oct. 3, 1895.

Hon. Geo. T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 8, being "An act to prevent delinquent tax-payers from pleading the statute of limitation by way of defense against the payment of any taxes due from him or her, either to the State or any county, city, or town,"

And find the same correctly engrossed.

COLQUITT, Chairman.

(Senator Smith in the chair.)

On motion of Senator Goss, the Senate took a recess till 8 o'clock this evening.

#### EVENING SESSION—AFTER RECESS.

The Chair rapped the Senate to order promptly at 8 o'clock p. m.

2—Senate

Senator Colquitt made the following privileged committee reports:

Committee Room,  
Austin, Texas, Oct. 3, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 5, being "An act to amend article 3893 of the Revised Civil Statutes of the State of Texas, relating to the investment of the permanent school fund,"

And find the same correctly engrossed.

COLQUITT, Acting Chairman.

Committee Room,  
Austin, Texas, October 3, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 6, being "An act making further appropriations for the support of the State government for the years beginning March 1, 1895, to February 28, 1897,"

And find the same correctly engrossed.

COLQUITT, Acting Chairman.

On motion of Senator Goss, the Senate adjourned to 10 a. m. to-morrow.

#### FOURTH DAY.

Senate Chamber,  
Austin, Texas, Oct. 4, 1895.

The Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Agnew,	Lawhon,
Atlee,	Lewis,
Bailey,	McComb,
Beall,	McKinney,
Boren,	Presler,
Bowser,	Rogers,
Colquitt,	Shelburne,
Dean,	Sherrill,
Dibrell,	Simpson,
Dickson,	Smith,
Gage,	Stafford,
Goss,	Steele,
Greer,	Tips,
Harrison,	Whitaker.
Lasker,	Woods.

Absent, not excused

Darwin.

Prayer by the Chaplain of the Senate, Dr. Smoot.

Pending reading of the Journal of yesterday.

Senator Goss moved to dispense with further reading of same.